

The 21st July, 1980

No. 11(112)-80-3 Lab/9039. - In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s. Mohindra Stiller Auto Trucks Limited, Mathura Road, Faridabad.

**BEFORE SHRI M. C. BHARDWAJ PRESIDING OFFICER, INDUSTRIAL TRIBUNAL  
HARYANA FARIDABAD**

**Reference, No. 406 of 1978**

*between*

**THE WORKMEN AND THE MANAGEMENT OF M/S MOHINDRA STILLER AUTO TRUCKS LIMITED, MATHURA ROAD, FARIDABAD**

*Present :*

Shri P.K. De, for the workman.

Shri H. R. DUA, for the management.

**AWARD**

By order No. ID/FD/69-78/40549, dated 6th September, 1977 the Governor of Haryana referred the following disputes between the management of M/s. Mohindra Stiller Auto-Trucks Limited, Mathura Road, Faridabad and its workmen to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947: —

1. Whether the grades and scales of pay of the workman be framed ? If so, with what details ?
2. Whether the workmen are entitled to the grant of interim relief? If so, with what details?
3. Whether the workmen are entitled to the grant of bonus for the years 1974-75, and 1976-77? If so, with what details?
4. Whether the workmen are entitled to the grant house rent allowance? If so, with what details?
5. Whether the male workmen should be supplied with uniforme and shoes and Lady workmen with saris? If so, with what details?
6. Whether the welders Grinders should be given Gur and Milk and the other workmen be supplied with soap? If so, with what details?
7. Whether the workmen are entitled to the grant of cycle allowance? If so, with what details ?

- On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 11th July, 1979:

1. Whether the demands has been espoused by a substantial number of workmen?
2. Whether the workmen are entitled to the demands raised by them forming dispute in reference?
3. Whether the respondent is unable to bear any additional burden?

And the case was fixed for the evidence of the workmen. The representative for the workmen filed only documents. But did not lead any oral evicerce. Then the case was fixed for the evidence of the management. The management tendered in evidence copies of balance sheets and profit and loss account's of the company for the year 1976, 1977 and 1978 and closed their case. Arguments were heard. I have gone through the documents produced by the workmen.

**Issues No. 1 and 2.**—The workmen produced Exhibit W-1 resolution of the union for raising demand of bonus, Provident Fund, Holidays leave and sick leave. Exhibit W-2 is the copy of election of office bearers of the union. There is no rebuttal of the above documents by the management. Therefore issue No. 1 decided in favour of the workmen and they are entitled to raise the present demands.

**Issues No 3 to 10 :**—The workmen produced settlement between the workmen and the management of some other companies but did not adduce any evidence as to the relationship of the settlements with the present dispute. So much so n't a single workman appeared in the witness box to substantiate the claim of the workmen. The burden was heavy on the workmen putting forth their demands. Balance sheet produced by the management have shown less during the relevant period. Therefore, in the absence of any evidence all these issues are decided against the workmen. While answering the reference, I give my award that the workmen are not entitled to any relief.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

The 14th July, 1980

No. 674 dated 16th July, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act.

M. C. BHARDWAJ,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

The 22nd July, 1980

No. 11(112)-80-3Lab/9079.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/s. Mac Metal Works, Plot No. 2, Gurukul Road, Post-Office Amar Nagar, Faridabad.

IN THE COURT OF SHRI I. P. CHAUDHRY, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, FARIDABAD.

Reference No 140 of 1980

between

SHRI LATAFAT HUSSAIN, WORKMAN AND THE MANAGEMENT OF M/S MAC METAL WORKS, PLOT NO. 2, GURUKUL ROAD, POST OFFICE AMAR NAGAR, FARIDABAD

Present :—

Shri R. L. Sharma, for the workman.

None, for the management.

#### AWARD

This reference No. 140 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—vide his order No. ID/FD-24-80/10535, dated 27th February, 1980 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Latafat Hussain, workman and the management of M/s Mac Metal Works, Plot No. 2, Gurukul Road, Post Office Amar Nagar, Faridabad. The term of the reference was :—

"Whether the termination of services of Shri Latafat Hussain, was justified and in order ? If not, to what relief is he entitled ?

After receiving the order of reference notices were issued to both the parties for 24th April, 1980 Shri R. L. Sharma, appeared on behalf of the workman, but none was present from the side of the management. Service of the notice had not been effected on the management. So

I ordered that fresh notice be sent to the management for 14th March, 1980. On that day Shri R. L. Sharma, the authorised rep. of the workman appeared but none was present on behalf of the management, service of the notice had been effected on the management, So I proceeded *ex parte* against the management and the case was fixed for the *ex parte* evidence of the workman for 5th June, 1980. On 5th June, 1980 evidence of the workman was recorded.

The workman Shri Latafat Hussain appeared in this court as WW-1. He stated that he was working with the respondent management for the last one year. He was drawing Rs. 550/P.M. The workman stated that he was a permanent employee of the management. The management did not issue any appointment letter to him. The workman further stated that his work during his stay was quite satisfactory. The management terminated his services on 8th January, 1980 without any notice. The workman further stated that he was unemployed till now. He tried his best to get employment but he did not succeed and prayed that he be reinstated with full back wages and continuity of service.

Keeping in view the circumstances of the case, I see no reason why un-rebutted statement on oath by the workman should not be relied upon especially when the management chose not to appear and defend this reference before this Court. So I relying upon the un-rebutted statement of the workman, hold that the termination of the services of the workman Shri Latafat Hussain was unjustified and not in order. He is entitled to be reinstated with full back wages and continuity of service.

I answer the reference while returning the same in these terms.

I. P. CHAUDHRY,

Dated 10th July, 1980

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

Endorsement No. 1143, dated 16th July, 1980

Forwarded (four copies) to the secretary to Government, Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the I. D. Act with the request that receipt of the award may please be acknowledged within a week.

I. P. CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

No. 11(112)-80-3Lab/9080.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workmen and the management of M/S Mac Metal Works plot No. 2, Gurukul Road, Post office, Amar Nagar Faridabad.

IN THE COURT OF SHRI I. P. CHAUDHARY PRESIDING OFFICER LABOUR COURT, HARYANA, FARIDABAD.

Reference No. 96 of 1980

*between*

SHRI NARINDER SINGH, WORKMAN AND THE MANAGEMENT OF M/S. MAC METAL WORKS, PLOT NO. 2, GURUKUL ROAD, POST OFFICE AMAR NAGAR FARIDABAD.

*Present.—*

Shri R. L. Sharma, for the workman.  
None, for the respondent management.

#### AWARD

This reference No. 96 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/24-80/10731, dated 28th February, 1980 under section 10(i)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Narinder Singh, Workman and the management of M/s. Mac Metal Works, Plot No. 2, Gurukul Road, Post Office Amar Nagar, Faridabad. The terms of the reference was :—

“Whether the termination of services of Shri Narinder Singh, was justified and in order? If not, to what relief is he entitled?

After receiving the order of reference notices were issued to both the parties for 24th April, 1980. Shri R. L. Sharma, appeared on behalf of the workman, but none was present from the side of the management. Service of the notice had not been effected on the management. So I ordered that fresh notice be issued to the management for 14th May, 1980. On that day Shri R. L. Sharma appeared, but none was present on behalf of the management. Service of the notice had been effected on the management, So I proceeded *ex parte* against the management and the case was fixed for the *ex parte* evidence of the workman for 5th June, 1980. On 5th June, 1980 evidence of the workman was recorded.

The workman Shri Narinder Singh appeared in this court as WW-I. He was drawing Rs. 525 P.M. He stated that he was working with the respondent management for the last one year. The workman stated that he was permanent employee of the management. The management did not issue any appointment letter to him. The workman further stated that his work during his stay was quite satisfactory. The management terminated his services on 8th January, 1980 without any notice. The workman further stated that he was unemployed till now. He tried his best to get employment but he did not succeed and prayed that he be reinstated with full backwages and continuity of service.

Keeping in view the circumstances of the case, I see no reason why the unrebutted statement given on oath by the workman should not be relied upon specially when the management chose not to appear and defend this reference before this Court. So I relying upon the un-rebutted statement of the workman, held that the termination of the services of the workman Shri Narinder Singh was un-justified and not in order. He is entitled to be reinstated with full back wages and continuity of service.

I answer the reference while returning the same in these terms.

I. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

Endorsement No. 1144, dated the 16th July, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Department, Chandigarh as required under section 15 of the I. D. Act with the request that receipt of the award may please be acknowledged within a week.

I. P. CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana  
Faridabad.

No.11(112)-80-3Lab/9082. In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act. No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s Bharat Steel Rolling Mills, Prop. Raunaq and Co., Mathura Road, Faridabad.

**IN THE COURT OF SHRI I. P. CHAUDHRY, PRESIDING OFFICER, LABOUR COURT, HARYANA FARIDABAD**

Reference No. 195 of 1980

*between*

**SHRI RAM AVADH, WORKMAN AND THE MANAGEMENT OF M/S BHARAT STEEL ROLLING MILLS, PROP. RAUNAQ AND CO., 12/6, MATHURA ROAD, FARIDABAD**

*Present. —*

Shri Ram Avadh, workman alongwith Shri H. R. Dua.

Shri S. C. Gandhi, Manager with Shri J. S. Saroha, for the management.

**AWARD**

This reference No. 195 of 1980 has been referred to this court by the Hon'ble Governor of Haryana,—*videlicet* his order No. ID/FD/4-80/14419, dated 20th March, 1980 under section 10 (i) (c) of the Industrial Disputes Act, 1947 for adjudication disputes existing between Shri Ram Avadh

workman and the management of M/s Bharat Steel Rolling Mills Prop. Raunaq and Company, 12/6, Mathura Road, Faridabad. The terms of the reference was :—

"Whether the termination of services of Shri Ram Avadh was justified and in order? If not, to what relief is he entitled?"

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorised representatives. On the pleadings of the parties, the following issues were framed on 3rd June, 1980.

1. Whether the workman voluntarily resigned the service of the management-respondent and it is a case of abandonment of service? If so, to what effect? OPM
2. Whether the termination of the service of the workmen is proper and justified? If not, to what relief is he entitled?
3. Relief.

No other issue was pressed or claimed for. Then the case was fixed for 17th June, 1980 for the evidence of the management. On 17th June 1980 the evidence of the management was not present. A date was prayed for, which was objected to. Adjournment was granted subject to the payment of cost of Rs 20/- and the case was fixed for 10th July, 1980 for the evidence of the management and cost was paid.

To-day the case was fixed for the evidence of the management, when the workman Shri Ram Avadh made a statement in this court that he had settled his dispute with the respondent management and had also received a sum of Rs 3,400 (Rs Three Thousand and four hundred only) in full and final settlement of his all claims. He further stated that according to this mutual settlement he had also foregone the right of re-instatement or re-employment with the management. He had also stated that now there is no dispute left with the management. This statement was duly agreed to by the representative of the management.

In the light of above statement made by Shri Ram Avadh, workman I hold that the demand raised by the workman against the management leading to this reference has been duly satisfied. There is now no dispute remains to be adjudicated between the parties, therefore, I give my award accordingly. No order as to costs. So this award is in answer of this reference.

The 10th July, 1980.

I. P. CHAUDHRY,  
Presiding Officer,  
Labour Court,  
Haryana, Faridabad.

Endst. No. 1148, dated the 16th July, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the above said award may please be acknowledged within week's time.

I. P. CHAUDHRY,  
Presiding Officer,  
Labour Court,  
Haryana, Faridabad.

No. 11(112)-80-3Lab/9083.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/s Super Steel, Plot No. 34, Sector 6 Faridabad.

IN THE COURT OF SHRI I. P. CHAUDHRY, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, FARIDABAD

Reference No. 156 of 1980

*between*

SHRI MUSAFIR MISHRA WORKMAN AND THE MANAGEMENT OF M/S. SUPER STEEL, PLOT No. 34, Sector 6, FARIDABAD

*Present.*

Shri Darshan Singh, for the workman.

Shri R. C. Sharma, for the respondent-management.

## AWARD

This reference No. 156 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,— vide his order No. ID/FD/20-80/11432, dated 4th March, 1980 under section 10(i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Musafir Mishra, workman and the management of M/s Super Steel, Plot No. 34, Sector-6, Faridabad. The terms of the reference was :—

Whether the termination of services of Shri Musafir Mishra, was justified and in order ? If not, to what relief is he entitled ?

After receiving the order of reference, notices were issued to both the parties. On 14th June, 1980 Shri Darshan Singh appeared on behalf of the workman and Shri R. C. Sharma appeared on behalf of the management and M/s. Darshan Singh representative of the workman prayed for an adjournment for filing the claim statement. Then the case was fixed for 10th June, 1980 for filing the claim statement. On 10th June, 1980 a date was prayed for by both the parties and the case was fixed for 24th June, 1980. On that day the representative of the workman made the statement that the workman had settled his claim with the management and the workman had received his full and final settlement of his claim. The workman had also given his right of reinstatement/re-employment. So he did not want to pursue this reference. The representative of the management had also stated that the workman had received full and final settlement of his claim through vouchers Ex. M-3 to M-6.

In view of the statement of the parties now there remains no dispute between the workman and the management as the workman has settled his dispute with the management. I give my award accordingly. No order as to costs.

Dated the 10th July, 1980.

I. P. CHAUDHARY,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

No. 1147, dated 16th July, 1980.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department, Chandigarh, as required under section 15 of the Industrial Disputes Act with the request that receipt of the award may please be acknowledged.

I. P. CHAUDHARY,

Presiding Officer,  
Labour Court,  
Haryana, Faridabad.

No. 11 (112)-80-3Lab/9084—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Monga Engineering and Manufacturing Co., Pvt. Ltd, Mathura Road, Faridabad:—

IN THE COURT OF SHRI J.P. CHAUDHARY, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, FARIDABAD.

Reference No. 13 of 1979

*between*

SHRI GOPAL BAHADUR WORKMAN AND THE MANAGEMENT OF M/S MONGA  
ENGINEERING AND MANUFACTURING CO. PVT. LTD., MATHURA ROAD,  
FARIDABAD

Present.—

Shri Gopal Bahadur, workman in person  
Shri Tilak Raj Khattar, Manager, for the Management.

## AWARD

This reference No. 13 of 1979 has been referred to this court by Hon'ble Governor of Haryana,— vide his order No. ED/198-79/56875, dated 30th November, 1979, under section 10(i)(c) of the Industrial Disputes Act, 1947 the adjudication of the dispute existing between Shri Gopal Bahadur workman and the management of M/s Monga Engineering and Manufacturing Co. Pvt. LtT., Mathura Road, Faridabad. The term of the reference was :—

“Whether the termination of services of Shri Gopal Bahadur was justified and in order ? If not, to what relief is he entitled ?” \*

After receiving this reference notices were issued to both the parties and both the parties appeared before this court through their authorised representatives. On the pleadings of the parties, the following issues were framed on 13th February, 1980.

1. Whether the workman himself abandoned his service by absenting himself? If so, to what effect?
2. Whether the termination of the services of the workman is justified and in order? If not, to what relief is he entitled?
3. Relief.

On 4th June, 1980 the evidence of the management had been recorded and they closed their evidence and the case was fixed for 2nd July, 1980 for the evidence of the workman. On 2nd July, 1980 the workman Shri Gopal Bahadur made a statement in this court that the management had agreed to pay a sum of Rs. 1000 (Rs. one Thousand only) in full and final settlement of all his claims including the right of re-instatement or re-employment. He further stated that after the payment of this mutual settlement amount he had also foregone the right of re-instatement or re-employment with the respondent management. This statement was duly agreed to by the representative of the management. Then the case was fixed for 3rd July, 1980 for payment of Rs. 1000 to the workman. On 3rd July, 1980 the management had been paid a sum of Rs. 1000 to the workman before this court. Now there was no dispute left between the parties.

In these circumstances, I thus relying on the statement of Shri Gopal Bahadur workman hold that the demand raised by the workman against the management leading to this reference has been duly satisfied. There is now no dispute remaining to be adjudicated between the parties, therefore, I give my award accordingly. No order as to costs. So this award is in answer of this reference.

Dated the 10th July, 1980.

I. P. CHAUDHARY;

Presiding Officer,  
Labour Court Haryana,  
Faridabad.

Endst. No. 1146, dated the 16th June, 1980

Forwarded (four copies) to the Secretary to Government of Haryana, Labour & Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of the above said award may please be acknowledged within week's time

I. P. CHAUDHARY;

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

The 28th July, 1980

No. 11(112)-80-3Lab/9213.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s. Sikands Ltd., Industrial Area, Faridabad :—

BEFORE SHRI I. P. CHAUDHRY, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, FARIDABAD

Reference No. 38 of 1979

*between*

SHRI LACHHU SINGH, WORKMAN AND THE MANAGEMENT OF M/S SIKANDS LTD., INDUSTRIAL AREA, FARIDABAD

Present. —

Shri K. L. Sharma, for the workman.

Shri Satish Ahuja, for the respondent management.

## AWARD

This reference No. 38 of 1979 has been referred to this Court by the Hon'ble Governor of Haryana, —vide his order No. ID/FD/50-79/50378, dated 28th November, 1979, under section 10(i) (c) of the Industrial Disputes Act, 1947 for adjudication of the dispute existing between Shri Lachhu Singh, workman and the management of M/s. Sikands Ltd., Industrial Area, Faridabad.

The terms of the reference was :—

"Whether the termination of services of Shri Lachhu Singh was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were sent to both the parties for 12th December, 1979. Both the parties appeared and filed their pleadings. On the basis of the pleadings of the parties, following issues were framed on 6th February, 1980—

- (1) Whether the service of the workman was on probation at the time of termination ? If so, to what effect?
- (2) Whether the termination of the service of the workman is justified and in order ? If not, to what relief is he entitled ?

The case was fixed for recording of evidence of both the parties for 14th February, 1980. On that day evidence of both the parties could not be recorded on account of holiday. After taking 6/7 adjournments on one account or the other the case was fixed for settlement for 20th June, 1980.

On 20th June, 1980 Shri Satish Ahuja, representative of the management made a statement that the management had settled with the workman and the workman had received Rs. 356.62 in full and final settlement of his claim. The copy of the settlement is Ex. M-1 and cash receipt voucher is Ex. M-2, on which the workman had put his signatures. Now nothing was due of the workman including right of reinstatement/re-employment. This statement of representative of the management was also agreed to by the representative of the workman and he stated that the workman had received his full and final account from the management as per Ex. M-1 and M-2.

In the light of the above statements made by both the parties I hold that the demand raised by the workman against the management leading to this reference has been duly satisfied. There is now no dispute remains to be adjudicated between the parties. No order as to costs.

This be read in answer to this reference.

I. P. CHAUDHRY,  
Presiding Officer,  
Labour Court, Haryana,  
Faridabad,

No. 1197, dated 22nd July, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department Chandigarh as required under section 15 of the Industrial Disputes Act, 1947, with the request that the receipt of award may pleased be acknowledged within week's time.

I. P. CHAUDHRY,  
Presiding Officer,  
Labour Court, Haryana,  
Faridabad,

**No. 11 (112)-80-3 Lab/9214.**—In pursuance of the provision of section 17 of the Industrial Dispute Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of Presiding Officer, Labour Court, Faridabad in respect of the dispute between the workman and the management of M/S Ottino (India) Pvt. Ltd., 11/7, Mathura Road, Faridabad.

IN THE COURT OF SHRI I. P. CHAUDHRY, PRESIDING OFFICER LABOUR COURT,  
HARYANA, FARIDABAD

Reference No. 83 of 1980

• between •

SHRI SATNAM SINGH, WORKMAN AND THE MANAGEMENT OF M/S. OTTINO (INDIA) PVT.  
LTD., 11/7, MATHURA ROAD, FARIDABAD.

present.—

None, for the parties.

## AWARD

This reference No. 83 of 1980 has been referred to this court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/27-80/9779, dated 25th February, 1980 under section 10(1)(c) of the Industrial Disputes Act, 1947 for adjudication of the dispute in existing between Shri Satnam Singh, workman and the management of M/S. Ottino (India) Pvt. Ltd., 11/7, Mathura, Road, Faridabad. The term of the reference was :—

Whether the termination of services of Shri Satnam Singh was justified and in order? If not, to what relief is he entitled?

After receiving the order of reference, notices were issued to both the parties for 25th April, 1980. On that day none was present from either of the sides and it was ordered by me to issue fresh notices for 20th May, 1980. On 20th May, 1980 Shri S. L. Gupta appeared on behalf of the management, but none was present on behalf of the workman. Fresh notice again was issued to the workman for 29th May, 1980. Despite service on that day the workman did not appear but the representative of the management was present, and the case was fixed for 3rd July, 1980. On 3rd July, 1980 none was present from either side. It was 11.00 a.m. I passed *ex parte* order against the workman but the management was also not present. I feel that the workman has settled his dispute with the management because he is not pursuing his case. I send no dispute award in this reference.

No order as to costs.

I. P. CHAUDHRY,

Dated the 21st July, 1980

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

No. 1198, dated the 22nd July, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Department's, Chandigarh as required under section 15 of the Industrial Dispute Act 1947, with the request that receipt of the award may please be acknowledged within week's time.

I. P. CHAUDHRY,

Presiding Officer,  
Labour Court, Haryana,  
Faridabad.

No. 11(112)80-3-Lab/9215.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workman and the management of M/s Fabex International, 3, Punchkuya Road, New Delhi:—

BEFORE SHRI I. P. CHAUDHRY, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, FARIDABAD

Reference No. 138 of 1980

*between*

SHRI SATYAIENDER MANDAL, WORKMAN AND THE MANAGEMENT OF  
M/S FABEX INTERNATIONAL 3, PUNCHKUYA ROAD, NEW DELHI

*Present.—*

Shri P. K. De, with the workman.  
Shri Tirath Singh, for the management.

## AWARD

This reference No. 138 of 1980 has been referred to this Court by the Hon'ble Governor of Haryana,—*vide* his order No. ID/FD/242-79/10610, dated 27th February, 1980, under section 10(1)(c) of the Industrial Disputes Act, 1947, for adjudication of the dispute existing between Shri Satyainder Mandal, workman and the management of M/s. Fabex International 3, Punchkuya Road New Delhi. The term of the reference was :—

Whether the termination of services of Shri Satyainder Mandal was justified and in order? If not, to what relief is he entitled?

"After receiving the order of reference, notices were issued to both the parties. Both the parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 2nd June, 1980 :—

- (1) Whether the workman has already collected from the management his full and final dues and settled the case finally (O. P. M.)
- (2) Whether the termination of services of the workman by the management is proper, justified and in order ? If not, to what relief is he entitled ?
- (3) Relief ?

The case was fixed for recording of evidence of both the parties for 2nd July, 1980. On 2nd July, 1980 evidence of both the parties were recorded and the case was fixed for arguments for 9th July, 1980. On that day a settlement reached between the parties and statements of both the parties were recorded.

Shri Tirath Singh, Manager of the respondent management stated that the management is willing to reinstate the workman as helper/chawkidar in their sister concern M/s, Ekant Hotel, 3 Punchkuya Road, New Delhi. However the workman will not be paid any wages for the period of absence i.e. from 20th July, 1979 to the date of joining the duty at the above said address. He further stated that his reinstatement will be on the basis of old continuity of service. This appointment was given at Delhi at the factory at Faridabad had since been closed.

This statement of the representative of the management was agreed to by the workman and he stated that he was willing to join his duty at Hotel Ekant, New Delhi, as Helper/Chowkidar. He further stated that he will not be entitled to any wages from 20th July, 1979, to the date of his joining of service.

In the light of the above statements made by the parties, I reinstate the workman Shri Satyander Mandal with continuity of service, but the workman is not entitled to the wages from 20th July, 1979, till the date of joining his service.

This be read in answer to this reference.

Dated 21st July, 1980.

I. P. CHAUDHRY,

Presiding Officer,  
Labour Court,  
Haryana, Faridabad.

No. 1199, dated 22nd July, 1980

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947, with the request that receipt of the award may please be acknowledged within week's time.

I. P. CHAUDHRY,

Presiding Officer,  
Labour Court,  
Haryana, Faridabad.

H. L. GUGNANI, Secy.

#### INDUSTRIES DEPARTMENT

The 29th May, 1980

No. 2/16/78-21B(I).—In pursuance of the provision contained in the Articles of Association of Punjab Export Corporation Ltd., and the Government of India Ministry of Home Affairs, notification No. F-17/82/88-SR, dated the 15th February, 1967, the Governor of Haryana is pleased to nominate Shri Gian Chand I.A.S., Joint Secretary to Government Haryana, Finance Department as a Director of Punjab Export Corporation Ltd., vice Shri O. P. Taneja, since transferred.

V. K. SIBAL,

Commissioner and Secretary to Government, Department,  
Haryana, Industries